

MINUTES OF THE
JOINT HEALTH AND HUMAN SERVICES APPROPRIATION SUBCOMMITTEE
Monday, February 12, 2001, 2:00 p.m.
Room 403, State Capitol Building

Members Present: Sen. David H. Steele, Committee Co-Chair
Rep. Jack A. Seitz, Committee Co-Chair
Sen. Edgar Allen
Sen. Curtis S. Bramble
Sen. L. Steven Poulton
Rep. Trisha Beck
Rep. David L. Hogue
Rep. David Litvack
Rep. Rebecca Lockhart
Rep. Carl S. Saunders
Rep. Matt Throckmorton

Staff Present: Thor Nilsen, Legislative Fiscal Analyst
Spencer C. Pratt Legislative Fiscal Analyst
Norda Shepard, Secretary

Public Speakers Present: Robin Arnold-Williams, Executive Director, Department of Human Services
Rod Betit, Executive Director, Department of Health

Visitor List on File

Committee Co-Chair Seitz called the meeting to order at 2:00 p.m.

1. Prioritization List and Review

Chair Seitz asked for discussion or additions to the prioritization list distributed on Friday. No additions were made. The Chair reminded committee members to make their selections and prioritize one through five, with one being the highest priority.

Rep. Lockhart indicated that she and Sen. Bramble had been working together on some questions they would like clarified. Sen. Bramble indicated that one of their concerns with going through the budgeting process has been trying to analyze and determine what has been spent and whether programs should be continued, whether some programs should increase, and which programs need a more critical review. He stated they were concerned in particular with some issues within the Division of Services for People with Disabilities. He distributed a report "Feedback on Critical Needs Wait List Grants" which indicated how the \$500 grants were used. He stated he was greatly concerned that some of those needs were listed as Alaska fishing trip, Lagoon season pass, trip to Disneyland, savings account for down payment on a home, etc. He asked how these activities fit the description of critical needs.

Robin Arnold-Williams, Executive Director, Department of Human Services, responded that she, too, was concerned when she first saw this report. She stated the report had been prepared by Pheobe Blackham, Chair of the Utah Family Support Council, and it attempted to summarize the grant program. She said when she questioned the activities, the response was that these trips may be the only family vacation that a family has been able to take for respite care, so that would be the tie, a break away from the 24 hour a day, 7 day a week, 365 days a year responsibility of care giving for a disabled person. That would fall under respite in the minds of those who authorized these activities. In response to questions concerning quality control of the program, Ms. Arnold-Williams stated that this is the first year this grant program has been done and maybe more evaluation and oversight needs to be done by the Division. The Utah Family Support Council made those determinations.

Sen. Allen and Rep. Beck pointed out that caution should be exercised before making judgments as overall

problems have not been evaluated. They stated that the nature of the problems and clarification of the purpose for authorizing these activities was needed. Rep. Seitz requested that the Department get a report to committee members tomorrow, showing (1) how is critical need defined (2) what are the 1900 people on the waiting list waiting for, what is their problem, and (3) what was the process used by the State Family Council to approve the use of the grants.

A discussion was held on the requested building block increases. Analyst Spencer Pratt explained that on the list at the bottom of the on going column, the total of \$38.2 million is from the mandatory items all the way down to the bottom of the page. He said the Executive Appropriations Committee has allocated an additional \$26 million to the subcommittee.

MOTION: Rep. Hogue moved to not replace the GFR-Medicaid Restricted Account of \$5,700,000 or the TANF transfers of \$1,500,000.

After committee discussion, the motion was split.

MOTION: Rep. Hogue moved to not replace the GFR-Medicaid Restricted Account of \$5,70,000. The motion failed with Rep. Hogue voting in favor.

MOTION: Rep. Hogue moved to not replace the TANF transfers of \$1,500,000. The motion passed unanimously.

MOTION: Sen. Poulton moved to recommend a COLA for Division of Children and Family Services providers of at least 3%.

SUBSTITUTE-MOTION: Sen. Steele moved to include Local Health Departments and Substance Abuse, Mental Health and Aging Authorities providers, as well as the Division of Children and Family Services and the Division of Services for People with Disabilities providers for a COLA of at least 3%.

After discussion and with the approval of Sen. Poulton, the substitute-motion passed unanimously with Rep. Hogue absent at the time of voting.

MOTION: Rep. Lockhart proposed the following Intent Language as an alternative to Item 8 on the list of Intent Language for the Department of Human Services:

It is the intent of the Legislature that the Division of Services for People with Disabilities, through the Attorney General's Office, continue to seek dismissal of the Lisa P. Settlement agreement at the earliest possible date. It is also the intent of the Legislature that the Division and the Attorney General's Office provide a written report on the status of the Lisa P. agreement during each 2001 interim meeting of the Health and Human Services Interim Committee, beginning in April, until the settlement agreement is finally dismissed. It is also the intent of the Legislature that the Division and the Attorney General's Office report on the status of the Lisa P. Settlement agreement to the 2002 Health and Human Services Appropriations Subcommittee.

After discussion, the motion passed unanimously with Sen. Bramble and Rep. Hogue absent at the time of voting.

MOTION: Rep. Throckmorton moved to add the following Intent Language to Item 3, Page 1, of the Analyst's compilation of current Intent Language in the Department of Human Services:

"and the number of citizens served and categorized by cost and type of services."

The motion passed unanimously with Sen. Bramble, Sen. Poulton, and Rep. Hogue absent at the time of voting.

MOTION: Rep. Throckmorton moved to add the following Intent Language to the Department of Health's list to Item 3, Page 1:

"and the number of citizens served and categorized by cost and type of services."

The motion passed unanimously with Sen. Bramble, Sen. Poulton and Rep. Hogue absent at the time of voting.

MOTION: Sen. Steele moved to combine Line 6, Aging and Adult Services, Adult Protective Services and Line 42, Aging and Adult Services, Adult Protective Services Investigator, in the Department of Human Services, together with a budget of \$152,000.

The motion passed unanimously with Sen. Bramble and Sen. Poulton absent at the time of voting.

MOTION: Rep. Saunders moved to combine Line 19, Medicaid Dental Reimbursement, and Line 20, Medicaid Physician Reimbursement in the Department of Health, and to change the priority listing to one through ten instead of one through five.

After committee discussion, it was suggested to split the motion.

MOTION: Rep. Saunders moved to combine Line 19, Medicaid Dental Reimbursement and Line 20, Medicaid Physician Reimbursement in the Department of Health. The motion passed unanimously with Sen. Bramble and Sen. Poulton absent at the time of voting.

MOTION: Rep. Saunders moved to list priorities one through ten instead of one through five.

SUBSTITUTE-MOTION: Rep. Beck moved to prioritize one through ten on on-going and one through five on one-time. After committee discussion, the substitute-motion was withdrawn.

The original motion passed unanimously with Sen. Poulton absent at the time of voting.

Rep. Hogue discussed some possibilities for other funds. He stated there was a lawsuit for over \$700,000 with the Veterans' Nursing Home. He suggested the possibility of keeping two-thirds of that within the budgets for Health and Human Services. He referenced the request to move \$87,500 from Epidemiology to the Executive Office. He stated the \$87,500 should be kept and maybe put somewhere else. He also addressed the travel budgets stating that if they could be reduced by 10% it would be a saving of \$300,000.

Rod Betit, Executive Director, Department of Health, responded to these suggesting. He stated that the lawsuit is up in the air and what happens to the \$700,000 will be decided by court action. He stated they have tried to limit travel but the Department needs the associations with other states in order to have input in drafting federal bills and watching out for Utah's interests. Also, very important training demands travel expenses at times.

MOTION: Rep. Throckmorton moved to adopt the following Intent Language:

It is the intent of the Legislature that the Department of Human Services use existing personnel statutes and rules to the maximum allowed within appropriated budgets to reward employees suggesting cost savings and efficiency measures implemented in the Department. The amount of cost savings incentive award shall equal 10% of the amount of savings realized, up to a maximum of \$10,000.

After discussion concerning current state statutes regarding this matter a substitute motion was made.

SUBSTITUTE-MOTION: Rep. Saunders moved to hold action of Rep. Throckmorton's motion until information about current state statutes can be reviewed. The substitute-motion passed unanimously with Sen. Poulton absent at the time of voting.

MOTION: Sen. Allen moved to adopt the following Intent Language:

It is the intent of the legislature that the Division of Services for People with Disabilities provide a brief summary of those on the critical needs waiting list. This summary is to include the nature of the disability and why it is considered critical for each person on the list.

After committee discussion, the motion was withdrawn.

MOTION: Sen. Allen moved to adopt the following Intent Language:

It is the intent of the Legislature that at least one of the Division Budgets of the Health Department and Human Services Department be presented in extensive detail at the time of presentation at the annual budget hearing. Which Division Budget is to be examined with this scrutiny is to be selected by the respective Department Heads.

SUBSTITUTE-MOTION: Rep. Lockhart moved to amend the proposed Intent Language to delete Respective Department Heads" and add: "Co-chairs of the Health and Human Services Appropriation Subcommittee by July of the previous year."

The substitute-motion passed unanimously with Sen. Poulton and Rep. Throckmorton absent at the time of voting.

2. Other Committee Business

The Co-Chairs reminded committee members that lists with completed numbers would be handed out to them in the morning and they should return their priority lists back by to the Co-chairs by noon, if possible. A reminder was also given that the meeting on Wednesday would start at 4:00 p.m.

MOTION: Rep. Hogue moved to adjourn. The motions passed unanimously with Sen. Poulton and Rep. Throckmorton absent at the time of voting.

Co-Chair Seitz adjourned the meeting at 4:25 p.m.

Minutes reported by Norda Shepard, Secretary.

Sen. David H. Steele
Committee Co-Chair

Rep. Jack A. Seitz
Committee Co-Chair